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REMARKS

This amendment is in response to a Final Office action mailed June 29, 2006 (Paper No. 20060622) and in reliance upon an Interview Summary (Paper No. 20061005). Upon entry of this amendment, claim 13 will be pending. Applicant has canceled claims 1 through 12 and 15 through 21 without prejudice or disclaimer as to their subject matter by this amendment and has amended claim 13 by this amendment.

Applicant is submitting this amendment in reliance upon the written agreement reached with Examiner Pham on October 5, 2006 and evidenced by Paper No. 20061005. In this agreement, the Examiner deemed claim 13 allowable. Therefore, Applicant is amending claim 13 to place it in independent form and is canceling all remaining claims. Applicant expects a Notice of Allowance for claim 13 as a result of the filing of this amendment.

Even though Applicant is cancelling non-allowed claims 1 through 12 and 15 through 21, Applicant still disagrees regarding their rejection in Paper No. 20060622. Therefore, Applicant would also like to enter the following comments into the record as to why Applicant deems that the final rejection of claims 1 through 12 and 15 through 21 in Paper No. 20060622 is without merit:

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Part I: Applicant's Response to Examiner's Response to Arguments

1. In an amendment filed on April 13, 2006, Applicant argued:

"Regarding claim 1, Applicant claims, "determining whether the printer is being used for the first time". On page 2 of Paper No. 20060105, the Examiner states that this feature is taught by Horaguchi. Applicant disagrees. Applicant submits that Horaguchi teaches determining whether a personal computer and a facsimile are powered on and connected, not whether a printer is being used for the first time. Applicant submits that determining whether two devices are connected or are powered on is not the same as determining whether the printer is being used for the first time. This is because a determination of whether two devices are connected to each other can occur at other times than when a device is used for the first time. Turning the power on or detecting a connection can occur when a previously used computer and a fax are moved or after repair or when they are turned on for the day or when a used printer is attached to some other computer than before. Because of this, it can not be said that Horaguchi teaches determining whether a printer is being used for a first time."

On pages 7 and 8 of Paper No. 20060622, the Examiner found this argument to be not

persuasive and reasoned:

"Regarding claim 1, the applicant argued the cited prior art of record (JP 09139794 to Horaguchi *et al*) fails to teach and/or suggest "determining whether the printer is being used for the first time". The applicant argued determining whether the host computer is connected facsimile connected is not the same as determining whether a printer is being used for the first time.
In response, the examiner disagrees with the applicant's argument. Features/limitations as cited in claim 1 does not indicate whether the printer is being used for the first time with respect to new printer that has never been used or printer that has was not been used in a different environment (i.e. used for the first in a different location with the same host device after disconnect and reconnect, used for the first time after calibration, used for the first time after power off and on, used for the first time after the printer is connected to a different host device, and etc). Horaguchi explicitly teaches an example of determining whether a facsimile is connected to a host computer to be used for the first time (par. 23, fig.4 shows a determination steps). "First time" is being interpreted as when a facsimile is connected to a host computer after both

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devices are powered on and communicate with respect to each other. Fig. 4 and par. 23 of Horaguchi explicitly teaches theses features."

Applicant disagrees. Applicant submits that the Examiner's interpretation of Applicant's "being used for a first time" is unreasonable. Applicant submits that it is unreasonable to interpret a printer "being used for a first time" as each time a printer or a facsimile machine is turned on or calibrated or moved or connected to a host device. Such an interpretation is unreasonably broad and is repugnant to what "being used for a first time" means.

Regarding claims 2 and 7 and their depending claims, Applicant refers to this as the "initial use date". Applicant submits that repowering on, calibrating or moving existing equipment does not read on "initial use" and such an interpretation that they do is also unreasonable.

2. On April 13, 2006, Applicant again traversed the rejection of claim 1 by arguing:

> "Again regarding claim 1, Applicant claims "storing the initial use date in a storage of the printer..." On Page 2 of Paper No. 20060105, the Examiner states that this limitation is taught by Horaguchi and cites RAM 15 of Horaguchi. Applicant disagrees. Applicant submits that there is no teaching anywhere in Horaguchi that the current date and time transferred from the PC to the facsimile in Horaguchi is ever stored anywhere including RAM 15. Applicant submits that all Horaguchi teaches is that the calender 50 of the FAX of Horiguchi is set upon said transfer. Applicant further submits that reference numeral 50 of Horaguchi is not a storage area but is instead a clock. Therefore, this limitation of Applicant's claim 1 can not taught by the applied prior art."

Similarly, Applicant traversed the rejection of claim 9 by arguing:

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"Regarding claim 9, Applicant claims storing said initial date of said printer in said memory in said printer. On page 6 of Paper No. 20060105, the Examiner states that this is taught by FIG. 2, RAM 15 in Horaguchi. Applicant disagrees. Applicant submit that Horaguchi merely teaches transferring a date and time from the PC to the FAX to merely set the clock/calender 50 of the FAX. Applicant submits that Horaguchi does not in any way teach of suggest storing an initial use date in the FAX. This is because the calender 50 of Horaguchi, unlike a storage area, is a clock that changes with each second, and thus the time and date transferred are lost after just one second after the setting of calender 50 of Horaguchi. Therefore, it can not be said that Horaguchi teaches storing an initial use date."

On Pages 8, 10 and 11 of Paper No. 20060622, the Examiner found these arguments persuasive and responded by saying:

"Regarding claim 1 [9], the applicant argued the cited prior art of record (JP 09139794 to Horaguchi *et al*) fails to teach and/or suggest "storing the initial use date in a storage of the printer". Applicant submits that there is no teaching anywhere in Horaguchi that the current date and time transferred from the PC to the facsimile in Horaguchi is ever stored anywhere including RAM 15.
In response, the examiner disagrees with applicant's argument. Fig. 2 shows a functional block diagram of facsimile apparatus that includes plurality of storage devices (i.e. ROM, EEPRM, RAM, image memory, buffer memory, pars. 12-13). RAM 15 can stores plurality type of data (par. 12) including date and time transmitted from PC I (par. 23). Obviously, time data transmitted from PC to facsimile (par. 23) has to be stored in storage device such a RAM. Other storage device is available including image memory, buffer memory and etc., par. 12-13 for storing such data. For example, Horaguchi teaches an example of nonvolatile time memory 14, which stores plurality of different type of data including transmission time and date (for example, year/month/date/day/time, par. 13)." Applicant disagrees.

Applicant submits that there is no teaching that the date and the time that are transferred to the FAX in Horaguchi from the host PC are also saved in a memory. Applicant submits that the clock and the calender of Horaguchi cannot read on Applicant's memory or Applicant's storage

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as the time and date in a clock or a calendar do not remain the same but change with each second. Applicant further argues that there is no teaching of RAM 15 of Horaguchi saving this transferred time and date. The Examiner replied that memory 14 of paragraph 13 of Horaguchi teaches saving a date and a time. Applicant disagrees. Paragraph 13 of Horaguchi teaches the storage of a time of a transmission of FAX data over a telephone line, not the transfer of date and time from the host used to set the clock on the FAX. The time stored in memory 14 denotes a time of FAX data transmission/reception, not a time of first use.

Regarding the Examiner's assertion that, "Obviously, time data transmitted from PC to facsimile (par. 23) has to be stored in a storage device such as RAM". Applicant disagrees. Applicant submits that this is an example of the Examiner merely speculating as to what the applied prior art teaches. Further, the time and the date used to set the clock on the FAX in Horaguchi is not what one would consider to be "data". The "data" in Horaguchi is images and text received/transmitted from/to another source over the telephone line. This "data" has nothing to do with the setting of the clock on the FAX. Any times stored in Horaguchi relate to times of FAX transmissions/receptions, not to dates and times received from the host and indicative of first uses.

3. In the April 13, 2006 amendment, Applicant argued against combining Gase with Horaguchi by saying:

"In Paper No. 20060105, the Examiner combined Gase with Horaguchi to reject Applicant's claims including claim 1. Applicant submits that one having ordinary skill in the art would not be inclined to turn to Gase to fill in for the deficiencies of Horaguchi. Horaguchi pertains to transferring dates and times back and forth between a FAX and a PC connected to the FAX so that both clocks are the same. Gase pertains to a computer network where there are many client terminals and many printers and a file server in between. Gase pertains to updating printer drivers for the network and to presentation of printer information at client terminals. Gase never even relies on internal clocks or discusses internal clocks or the need to synchronize clocks between different devices. Also, Gase has nothing to do with initial use dates. Applicant submits that updating printer drivers and managing printer resources in a network is entirely unrelated to synchronizing a clock between a single PC and a FAX connected to the PC. The problems and the settings of these two references are vastly unrelated and thus should not be combined.

In Paper No. 20060105, the Examiner relies on col 1 of the Gase reference for justification of motivation to combine with Horagucho. Applicant disagrees. Applicant submits that col 1 of Gase is in the Background of the Invention section and is not part of the invention of Gase. The invention in Gase does not pertain to the installation of drivers for a new printer but instead pertains to updating drivers for a printer in a network when a new, enhanced version of the drivers is released. Applicant submits that the entire reference as a whole must be considered and that Gase as a whole is not about the initial installation of drivers for a new printer but is about driver updates in a network. Therefore, Applicant submits that it was inappropriate for the Examiner to justify the combination of Gase with Horaguchi because Gase mentions that printer drivers need to be installed for a new printer type in the Background section."

On Pages 8 and 9 of Paper No. 20060622, the Examiner responded by saying:

"Regarding claim 1, the applicant argued the cited prior art of record (US 5580177 to Gase *et al*) fails to teach and/or suggest installation of printer driver for new printer and the combined references (Horaguchi and Gase) are not in the same field of endeavor.
In response to applicant's argument that the combined references is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the

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particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See In re Oetiker, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, both Horaguchi and Gase references are in the same field of endeavor for printing. Both involve transmitting data from host computers to printing devices or vice versa. In addition, Gase explicitly teaches an example of installing a new printer driver for new printer (col. 1, lines 39-52). It is also well known to install a printer driver for newly connected printer (i.e. which connected to a host computer) to ensure and enable the devices to work properly." Applicant disagrees.

To begin with, Applicant never argued that Gase is not in the same field of endeavor as Horaguchi or that Gase fails to teach the installation of a printer driver. Applicant merely argued that one having ordinary skill in the art would not be inclined to turn to Gase to fill in for the deficiencies of Horaguchi. Further, Applicant argued that it was improper to rely solely on one line of the Background section of Gase to justify its combination with Horaguchi as the reference in its entirety must be considered when making this determination. Applicant further submits that references are not combinable just because they are of the same field of endeavor. Applicant submits that one having ordinary skill in the art, in possession of the first reference, has to be motivated to turn to the second reference for improvements on the first reference for the two references to be combinable. Applicant previously argued this on April 13, 2006 and the Examiner never addressed this in Paper No. 20060622.

4a. In the April 13 amendment regarding the combination of Horiguchi with Hong, Applicant argued:

> "Regarding claim 7, the Examiner turns to Horaguchi to fill in for the deficiencies of Hong. Applicant objects. Hong pertains to a TV set where an initial use date is stored within upon first use. In Hong, the initial date is

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gleaned from the broadcast signal sent over the airwaves. Meanwhile, Horaguchi pertains to a FAX connected to a PC. Horaguchi is not about TV sets and is not about initial use dates and does not store any date or time but instead merely synchronizes the clock on the FAX to the clock on the PC. Applicant submits that one having ordinary skill in the art would not be inclined to turn to Horaguchi to fill in for the deficiencies of Hong. First of all they are of non-analogous art of different fields of endeavor. Hong is for a TV set and Horaguchi is for a FAX connected to a PC. Hong pertains to an initial use date for warranty purposes while Horaguchi pertains to clocks on a FAX and a PC and the synchronization thereof. Horaguchi does not store a date or a time and is not concerned about warranties expiring and is not about a television set and does not glean a time or a date from air waves as in Hong. Meanwhile, Hong is not about a printer or a PC, is not about clock synchronization between devices. For all of these reasons, Applicant submits that one having ordinary skill in the art would not be inclined to turn to Horaguchi to fill in for the deficiencies of Hong".

In response, on Page 9 of Paper No. 20060622, the Examiner replied:

"Regarding claim 7, the applicant argued the combined references (EP 965950 to Hong and JP 09139794 to Horaguchi) are non-analogous arts of different fields of endeavor.
In response to applicant's argument that the combined references is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See In re Oetiker, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, both Horaguchi and Hong references are in the same field of endeavor for setting time and date of first use of the electronic devices. Both involve transmitting a signal represents initial use (i.e. date and time) from one electronic device to another electronic device."

4b. Similarly, in the April 13 Amendment, Applicant argued regarding the combining of

Horiguchi with Hong:

"In the rejection of claim 2 on page 4 of Paper No. 20060105, the Examiner turns to Horaguchi for a teaching of a printer. The Examiner then justifies combining Horaguchi with Hong by saying that the motivation is to extend

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coverage capability for other devices besides TVs. Applicant disagrees. Applicant submits that there is no credible motivation to turn to a reference about a facsimile machine to fill in for the deficiencies of a TV set. Applicant submits that the field of endeavor and the technologies of a FAX machine are so dissimilar to that of a TV set that they do not warrant combining. Further, Applicant submits that unlike Hong, Horaguchi is not about warranty coverage or first use dates but is merely about synchronizing clocks of a FAX to that of a PC. Horaguchi does not store an initial use date but merely makes sure the clock of the FAX is the same as that of the PC. Therefore, there is no credible nexus between Horaguchi and Hong that could justify such a combination."

On Pages 13 and 14 of Paper No. 20060622, the Examiner replied:

"Regarding claim 2, the applicant argued that there is no credible motivation to turn to a reference about a facsimile machine to fill in for the deficiency of a TV set.
In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and In re Jones, 958 Faced 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the motivation to combine the references is. to extend coverage capability (i.e. warranty date) of not only for televisions and cellular phones as taught by Hong, but also for printers and other electronic devices (i.e. digital camera, PDA, and etc). Both Hong and Horaguchi teach an example of determining whether a device has an initial date stored in the memory of the device. Hong teaches an example of storing an initial use date (abstract and pars. 7-11 and par. 28) for warranty purposes (which is the same purpose of the applicant's invention, that is to store warranty date) with respect to the electronic devices (i.e. TV or cell phone). TV or cell phone are just an example to illustrate the invention. Other devices are also applicable (par. 39-40). Horaguchi also teaches an example of transferring initial use date from host computer to facsimile or vice versa (par. 23-26)." Applicant disagrees.

To begin with, Horaguchi never teaches storing an initial use date. Instead, Horiguchi

merely teaches setting a clock and a calendar on a FAX machine upon power up and keeping track

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of times of transmissions and receptions of FAXes.

Further, Applicant submits that one having ordinary skill in the art would not be inclined

to turn to a reference that pertains to FAXes and PC's connected to FAXes to fill in for

deficiencies of a TV set because of the extreme dissimilarity in technologies.

5. In the April 13 Amendment, Applicant argued:

"Again regarding claim 7, Applicant claims, "determining whether said printer
has an initial date stored in the memory of the printer". On page 5 of Paper No.
20060105, the Examiner states that this limitation is taught by paragraphs 28-35
of Hong. Applicant disagrees. Applicant submits that Hong pertains to a TV
that gleans the initial use date from the air waves and does not pertain to a
printer."

On Page 9 of Paper No. 20060622, the Examiner replied:

"Regarding claim 7, the applicant argued the cited prior arts of record (EP
965950 to Hong and JP 09139794 to Horaguchi) fail to teach and/or suggest
"determining whether said printer has an initial date stored in the memory of the
printer".
In response, both Hong and Horaguchi teach an example of determining whether
a device has an initial date stored in the memory of the device. Hong teaches an
example of storing an initial use date (abstract and pars. 7-11 and par. 28) for
warranty purposes (which is the same purpose of the applicant's invention, that
is to store warranty date) with respect to the electronic devices (i.e. TV or cell
phone). TV or cell phone are just an example to illustrate the invention. Other
devices are also applicable (par. 39-40). Horaguchi also teaches an example of
transferring initial use date from host computer to facsimile or vice versa (par.
23-26)." Applicant disagrees.

Applicant submits that the Examiner's response in Paper No. 20060622 is not responsive

to Applicant's argument of April 13, 2006. Applicant stated that neither Hong nor Horaguchi

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teach or suggest *determining* whether the initial use date has been stored. It is this determining

that is lacking entirely in both Hong and Horaguchi. Although Hong saves a date in the TV set,

there is no step in Hong of determining whether or not the date is stored there. Not only does

Horaguchi lack such a comparable step, but Horaguchi never stores an initial use date.

6a. On April 13, Applicant argued:

"Regarding claim 13, Applicant claims, "said memory space comprising a first area and a second area separate from the first area, the initial date being stored in the second area and an indicator being stored in the first area that indicates whether or not an initial date has been stored in the second area, said determining step examining the contents of the first area and not the second area". On page 6 of Paper No. 20060105, the Examiner states that paragraphs 28-40 of Hong teaches this limitation. Applicant disagrees. Applicant submits that Hong actually teaches away from Applicant's claim 13. Applicant's claim 13 claims two separate areas in memory of the printer, one for the indicator and one for the initial use date. Applicant submits that Hong clearly teaches that the indicator occupies the exact same piece of memory as the initial use date. See paragraphs 28-32 of Hong. In Hong, when this specific area of memory is all zeros, the initial use date has not been stored. When it contains a date instead of all zeros, then the initial date has been stored. Thus, in Hong, the indicator occupies the same location of memory as the initial use date and thus Applicant's claim 13 cannot possibly be taught by Hong."

6b. Similarly, with claim 2, Applicant also argued:

"Again regarding claim 2, Applicant claims, as in claim 13, the printer having a memory having two storage areas, one for the indicator and the other for the date. On page 4 of Paper No. 20060105, the Examiner states that this is taught by paragraphs 28-35 of Hong. Applicant disagrees for the same reasons as given in the traversal of the rejection of claim 13. Hong teaches that the indicator occupies the same location in memory as the date, and that if the read date is all zeros, it indicates that the initial use date has never been stored, and if it is not all zeros, then it is storing a date. This is because a date is ordinarily not represented by all zeros. Thus, Applicant submits that Hong teaches the opposite, that there is not two areas but one for both the indicator and the date."

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6c. And again, with claim 11, Applicant argued:

"Regarding claim 11, Applicant claims that the first area of storage that stores the indicator is distinguished from the second area of printer memory that stores the initial use date. On page 6 of Paper No. 20060105, the Examiner states that this is taught by paragraphs 28-35 of Hong. Applicant disagrees. As discussed previously in Applicant's traversal of the rejection of claim 13, Applicant submits that Hong clearly teaches that the indicator and the first use date are stored in the exact same location of memory of the TV in Hong and thus they are not distinguished. This is possible because when this location contains all zeros, it indicates that the initial use date has not yet been stored. When this location contains a date, it is not all zeros and thus indicates that the initial use date has already been stored and contains the initial use date at the same time. This is possible in Hong because the same location in memory can both serve as a storage area for the initial use date and as an indicator that the initial use date has not yet been stored because a date is ordinarily not represented by all zeros."

For each of these three instances, the Examiner responded three times on each of Pages 11,

12 and 14 of Paper No. 20060622 as follows:

"Regarding claim [13, 2 and] 11, the applicant argued the cited prior arts of record (EP 965950 to Hong and JP 09139794 to Horaguchi) fail to teach and/or suggest first are of storage that stores the indicator is distinguished from the second area of printer memory that stores the initial use date.
In response, the examiner disagrees. Hong teaches a memory space comprising a first area and a second area separate from the first area, the initial date being stored in the second area and an indicator being stored in the first area that indicates whether or not an initial date has been stored in the second area, said determining step examining the contents of the first area and not the second area (pars. 28-40). Nonvolatile memory 108 as taught by Hong is well known to contain plurality of different addresses (par. 28) for storing plurality of different data. Hong teaches an indicator of initial use date, date data Ds, for determining whether or not date information was stored when the purchased product was used for the first time (par. 28). If the purchase product is being used for the first time, present date Dp is written at a specific address of the nonvolatile memory 108 that stores Ds. However, it would have been obvious to one of ordinary skill in the art that present date Dp can be written at any specific address other than at the address that stores Ds data. For example, instead of overwriting the Ds

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with Dp, one of ordinary skill in the art can use different address to store Dp data. Horaguchi teaches an example of nonvolatile memory device 14 that contains plurality different storage areas, and each area can stored different type of data, for example, memory 14a for storing one-touch number, memory 14b for storing sender telephone number, memory 14c for storing communication link condition, memory 14d for storing type of programs, memory 14e for storing sending and receiving time and during time for transmission, and memory 14f for storing communication information. Clearly, choosing which memory address of a storage device to store data is well known and based upon one desire." Applicant disagrees.

Paragraph 0032 of Hong clearly states, "In step 205, the present date data Dp is rewritten in a specific address of the memory in which the date data Ds is stored.", meaning that they used the same memory location Further, Applicant disagrees with the Examiner's assertion that it would be obvious to one of ordinary skill in the art or from Horaguchi to provide two separate areas for Ds and Dp. Memory 14 of Horaguchi does not pertain to first use date but instead to times of transmission and reception of faxes. Applicant submits that it is only obvious to one, like the Examiner, who has read Applicant's invention and Applicant's claims, to apply improper hindsight and then conclude that Applicant's claims are obvious over the applied prior art.

7. In the April 13, 2006 amendment, Applicant argued:

"Regarding claim 18, Applicant claims, "the first and the second areas being updated when the printer drivers are being installed". On page 7 of Paper No. 20060105, the Examiner states that this limitation is taught by Horaguchi. Applicant disagrees. Applicant submits that Horaguchi is entirely devoid of a teaching of installing printer drivers."

On Page 12 of Paper No. 20060622, the Examiner responded:

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"Regarding claim 18, the applicant argued the cited prior arts of record (EP 965950 to Hong and JP 09139794 to Horaguchi) fail to teach and/or suggest "the first and the second areas being updated when the printer drivers are being installed".

In response, the examiner disagrees. First of all, installing a printer driver for newly added and/or newly connected printer to a host computer that enabling the devices to work properly is well known in the art. Horaguchi explicitly teaches an example of updating date and time for the facsimile device (pars. 13-14 and 23-28). Hong also teaches an example of storage areas being updated (par. 28-33)." Applicant disagrees.

Applicant submits that Applicant is claiming that the date is stored **when** the printer drivers are installed. The Examiner has not showed any teaching or suggestion of a date being stored when the drivers are being installed. Because of this, the rejection is without merit.

8. On April 13, 2006, Applicant argued:

"Regarding claim 2, Applicant claims "providing data stored in a storage to a host by a printer when a printer driver is installed". On page 4 of Paper No. 20050105, the Examiner states that this is limitation taught by Hong. Applicant disagrees. Applicant submits that Hong does not teach a printer and Hong does not teach a host. Hong pertains to a TV, not to a printer. Further, Hong does not teach providing data to the host by the printer. Instead, Hong merely teaches a TV. The TV in Hong only receives signals from over the airways. The TV in Hong does not transmit data to anything. The TV in Hong is merely a receiver. Therefore, Applicant submits that the claim language of the first limitation of Applicant's claim 2 and the subject matter of Hong are very dissimilar."

On Page 12 of Paper No. 20060622, the Examiner responded:

"Regarding claim 2, the applicant argued the cited prior arts of record (EP 965950 to Hong and JP 09139794 to Horaguchi) fail to teach and/or suggest "providing data stored in a storage to a host by a printer when a printer driver is installed".

In response, both Hong and Horaguchi teach an example of determining whether a device has an initial date stored in the memory of the device. Hong teaches an

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example of storing an initial use date (abstract and pars. 7-11 and par. 28) for warranty purposes (which is the same purpose of the applicant's invention, that is to store warranty date) with respect to the electronic devices (i.e. TV or cell phone). TV or cell phone are just an example to illustrate the invention. Other devices are also applicable (par. 39-40). Horaguchi also teaches an example of transferring initial use date from host computer to facsimile or vice versa (par. 23-26). Installing a printer driver into a host computer when a printer is connected to a host computer is well known in the art. A printer driver is required for both devices to work properly. The examiner has also cited several prior art references that teach a well known method of installing a printer driver when a printer is connected herewith. (JP 10063451, US6606669, US6989910, US20030043395)." Applicant disagrees.

As discussed in section 7 above re the rejection of claim 18, Applicant submits that none

of the applied prior art references teaches transfer from printer to host of an initial use date **when**

the printer drivers are being installed. Further, the Examiner is now saying that it is Horaguchi and

not Hong that teaches this limitation. Applicant submits that as previously discussed, Horaguchi

does not save initial use date of a machine. Horaguchi is merely restricted to setting a calender or

clock when the FAX is powered on. This is not initial use date.

Regarding the Examiner's citing of references of JP 10063451, US 6606669, US 6989910

and US 20030043395, Applicant submits that if the Examiner chooses to use these references, they

must be formally cited and used in the rejection. Since these references are not applied, they need

not be considered as part of the actual rejection.

Part II: Applicant's Traversal of the Rejection of Claims 19-21

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Regarding Applicant's claim 19, Applicant claims, "storing the transmitted current year, month and date in a storage area in said printer". On Page 3 of Paper No. 20060622, the Examiner states that this is taught by paragraphs 23 through 25 of Horaguchi. Applicant disagrees. Applicant has reviewed the English translation of paragraphs 23 through 25 of Horaguchi along with FIG. 4 of Horaguchi and can not find any comparable feature. Applicant submits that Horaguchi teaches transferring a date and time from host to FAX to set the calender on the FAX. Applicant submits that setting a calender does not read on storing a date in a storage area. A clock is not a memory as it changes with each second. Therefore, it is not a storage area and the date and time is not stored in Horaguchi. Therefore, the applied prior art cannot possibly teach Applicant's claim 19.

Again regarding claim 19, Applicant claims, "determining whether said printer is being used for a first time". On Page 3 of Paper No. 20060622, the Examiner states that this is taught by paragraphs 23 through 25 of Horaguchi. Applicant disagrees. Applicant has reviewed the English translation of paragraphs 23 through 25 of Horaguchi and can not find any comparable feature. Horaguchi teaches transferring a time and date from host to FAX when the FAX is being powered on and when the calender and clock on the FAX does not have a time and date. Applicant submits that this does not and can not read on "determining whether said printer is being used for a first time". Applicant submits that the Examiner is using an unreasonable and repugnant meaning of "for a first time" to reject Applicant's claims.

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Again regarding claim 19, Applicant claims, "transmitting a current year, month and date to said printer when said printer is being used for the first time". On Page 3 of Paper No. 20060622, the Examiner states that this is taught by paragraphs 23 through 25 of Horaguchi. Applicant disagrees. Applicant has reviewed the English translation of paragraphs 23 through 25 of Horaguchi and can not find any comparable feature in Horaguchi. Horaguchi teaches transferring a time and date from host to FAX when the FAX is being powered on when the calender and clock on the FAX does not have a time and date. Applicant submits that this does not and can not read on " transmitting a current year, month and date to said printer when said printer is being used for the first time". Applicant submits that the Examiner is using an unreasonable and repugnant meaning of "when said printer is being used for the first time" to reject Applicant's claims.

Regarding Applicant's claim 20, Applicant claims, "further comprising displaying whether a year, month and date is being stored within said storage area in said printer". In response to this, on Page 4 of Paper No. 20060622, the Examiner states, "Regarding claim 20, Horaguchi further discloses the method of claim 19, further comprising displaying (par. 25) whether a year, month and date is being stored within said storage area in said printer." Applicant disagrees. Applicant has reviewed the English translation of paragraph 25 of Horaguchi and submits that it teaches displaying whether or not a calender has been set in the host PC, not in the FAX. Therefore, Applicant traverses the rejection of claim 20.

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Regarding Applicant's claim 21, Applicant claims, "further comprising displaying whether a year, month and date is being stored within said storage area in said printer". On Page 4 of Paper No. 20060622, the Examiner justifies rejecting claim 21 by stating, "Regarding claim 21, Horaguchi further discloses the method of claim 19, further comprising outputting (par. 23-25) a year, month and date stored within said storage area in said printer." Applicant disagrees. Applicant has read the English translation of paragraphs 23 through 25 of Horaguchi and can not find any comparable feature.
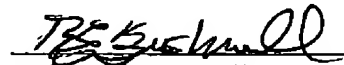
PETITION FOR AN EXTENSION OF TIME

Pursuant to 37 C.F.R. §1.136(a), please extend the time for responding to the first Office action mailed on 29 June 2006 (Paper No. 20060622), **for two month to and through 10 October 2006**. The Commissioner is authorized to charge Deposit Account No. 02-4943 of Applicant's undersigned attorney in the amount of $120.00 (**SMALL ENTITY**). Should other fees be incurred, the Commissioner is also authorized to charge Deposit Account No. 02-4943 of Applicant's undersigned attorney in the amount of such fees.

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In view of the above, all claims are submitted to be allowable and this application is

believed to be in condition to be passed to issue. Reconsideration of the rejections is requested.

Should any questions remain unresolved, the Examiner is requested to telephone Applicant's

attorney.

Respectfully submitted,

Robert E. Bushnell,
Attorney for the Applicant
Registration No.: 27,774

1522 "K" Street N.W., Suite 300
Washington, D.C. 20005
(202) 408-9040

Folio: P56262
Date: 10/17/06
I.D.: REB/ML

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